

REMARKS:

Prior to entry of this Amendment, claims 2-5, 8-16, 19-26, 28, 71, 92-94 and 98-102 are pending. Of those claims, claims 100 and 101 are allowed. Applicant thanks the Examiner for this indication of allowable subject matter.

Claims 2-5, 8-16, 19-26, 28, 71, 92-94, 98-99 and 102 are rejected. In particular, claims 2-5, 8-16, 92-93 and 98 are rejected under 35 USC Section 112, second paragraph, as being indefinite. Claim 102 is rejected under this paragraph as being incomplete. Claims 94, 99 and 102 are rejected as being unclear.

The foregoing rejections are respectfully disagreed with, and are traversed below.

In the interest of advancing the prosecution of the subject application, the claims are clarified, as suggested by the Examiner in the outstanding Office Action, and as supported throughout the original specification, claims and drawings. It is respectfully noted that claim 102 also is amended to recite a mode selector, which is inherent in various exemplary embodiments of Applicant's apparatus.

Additionally, the claims are clarified to, for example, improve upon the grammar, remove abbreviations and change "arranged to" to "configured to" wording. Such clarifications are not made for reasons related to patentability and the full range of equivalents should remain intact.

It also is respectfully noted that the recitation of "CDMA" which is deleted from the claims is not required for patentability of these claims. Applicant has added dependent claims 103-106 depending from claims 92, 94, 98 and 99, respectively, reciting that the common channel is a code division multiple access channel.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance and such favorable action is earnestly solicited. A Notice of Allowance is

S.N.: 09/980,377
Art Unit: 2618

thereby requested. Should any unresolved issues remain, the Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted:

Christine Wilkes Beninati March 1, 2010

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Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

J. Droniah
Name of Person Making Deposit

3-1-10
Date